



LEROY D. BACA, SHERIFF

County of Los Angeles  
Sheriff's Department Headquarters  
4700 Ramona Boulevard  
Monterey Park, California 91754-2169



October 15, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

As you know, the Citizen's Commission on Jail Violence released its final report and recommendations regarding the nature, depth, and cause of inappropriate deputy use of force in the jails. From its inception, I have been in full support of the Citizen's Commission on Jail Violence, and directed every member of this Department to provide full access and cooperation. I also tasked the Commanders Management Task Force to provide anything required for the Commission to conduct its review.

Before I respond to specific recommendations, it is critical we understand the basis and principle for changes that will be implemented. As chief law enforcement officer of the County, I am committed to adherence to laws, policies, procedures, and due process for everyone, whether an inmate or member of this Department. As a leader in the Los Angeles County Sheriff's Department, I am committed to the Core Values of this organization, which requires honesty and fairness in all that I do. I value the hard work and critique from the Commission, and have already started the process of incorporating changes which have significantly improved jail operations. However, I will not unfairly blame or discipline any member of this Department based on personal or political motivations, or where there is no factual evidence of misconduct. I am committed to following recommendations where it will serve to improve our performance as an organization.

Enclosed with this letter is the *Sheriff's Department's Response to Final Recommendations from the Citizens' Commission on Jail Violence Recommendations* (Attachment A). I am confident your Board will be pleased with the Sheriff's Department's plan to follow through on nearly every recommendation presented by the Commission. Some of the recommendations will require support from your Board, and I look forward to our continued open dialogue as we work together to create a safer jail community in Los Angeles County.

Sincerely,

  
LEROY D. BACA  
SHERIFF

*A Tradition of Service*



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 3.1 (IN PROCESS)**

*LASD should promulgate a comprehensive and easy-to-understand Use of Force Policy in a single document.*

**Response:**

The Department has started the process of restructuring the Use of Force Policy, and consolidating all Use of Force Policies into a single document.

The policy is in its final stages of being incorporated, and has met the scrutiny and approval of the Office of Independent Review (OIR), Special Counsel Merrick Bobb, and force experts. The new Use of Force Policy will take effect January 1, 2013, in order to allow a reasonable period to train all Department personnel, standardize reporting and investigation forms, and set up precise data coding for analysis and early warning.

**Recommendation 3.2 (IN PROCESS)**

*LASD personnel should be required to formally acknowledge, in writing, that they have read and understand the Department's Use of Force Policy.*

**Response:**

Currently, the Department requires all personnel to sign that they have read and understand the Department's Policy and Ethics Chapters of its Manual of Policy and Procedures. The Department will prepare a signed admonition form to additionally ensure all personnel acknowledge in writing that they have read and understand the Department's Use of Force Policy. This process will be completed by December 31, 2012.

**Recommendation 3.3 (IN PROCESS)**

*All LASD Custody personnel should be provided training on a new comprehensive and easy to understand Use of Force Policy and how it applies in Custody.*

**Response:**

The Department is preparing an easy to understand Training Bulletin, to be followed-up with training conducted by unit Training Sergeants to ensure all personnel understand how the Use of Force Policy applies specifically in Custody, as well as throughout the entire Department.

**Recommendation 3.4 (IN PROCESS)**

*The Department's Use of Force Policy should reflect a commitment to the principles of the Force Prevention Policy and prohibit inmate retaliation or harassment.*

**Response:**

The Department has incorporated the principles contained in the Force Prevention Policy, into the restructured Use of Force Policy. This policy will take effect January 1, 2013. Additional policies specifically prohibiting inmate retaliation and harassment have also been incorporated into the Custody Division Manual.



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 3.5 (IN PROCESS)**

*LASD's Use of Force Policy should be based upon the objectively reasonable standard rather than the Situational Use of Force Options Chart.*

**Response:**

While the current Use of Force Policy is based on the "objectively reasonable" standard, the Department inserted specific language from the Supreme Court decision of **Graham v. Connor, 490 U.S. 386 (1989)**, into its restructured Use of Force policy (effective January 1, 2013). The Situational Use of Force Options Chart is a visual representation of our policies and training, and also based on Graham v Connor. This visual representation assists our personnel in understanding what their "objectively reasonable" force options are. It is used in conjunction with written policies, verbal training, and dynamic practical application training scenarios.

**Recommendation 3.6 (IN PROCESS)**

*The Use of Force Policy should articulate a strong preference for planned, supervised, and directed force.*

**Response:**

The Department has inserted specific language into the restructured Use of Force policy to articulate a strong preference for planned, supervised, and directed force. More specifically, the new Preamble to the Department's Use of Force Policy states: *Department members should endeavor to de-escalate confrontations through tactical communication, warnings, and other common sense methods preventing the need to use force whenever reasonably possible. When force is required, every effort shall be made to plan, supervise, and direct force in an effort to control confrontations in a calm and professional manner.*

**Recommendation 3.7 (IN PROCESS)**

*The Use of Force Policy should account for special needs populations in the jails.*

**Response:**

The Department consulted the Department of Justice to ensure compliance with Department of Mental Health standards. In March 2012, the Department of Justice reported full compliance by the Department in its inspection report. The Department will work with mental health experts to develop specific policies, supervision, and training for handling inmates with special needs. Those policies will be implemented concurrent with the new Use of Force Policy (effective January 1, 2013).

**Recommendation 3.8 (IN PROCESS)**

*PPI and FAST should be replaced with a single, reliable, and comprehensive data tracking system.*

**Response:**

The Department is currently working with technicians to develop a single, reliable, and comprehensive data tracking system to replace the Personnel Performance Index (PPI) and Facilities Automated Statistical Tracking (FAST) systems.



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 3.9 (IN PROCESS)**

*Inmate grievances should be tracked in PPI by the names of LASD personnel.*

**Response:**

The Department's long-term plan is to create a new module in the updated Personnel Performance Index (PPI) database. In order to comply immediately, the Department is currently tracking inmate grievances by the names of LASD personnel, in the Facilities Automated Statistical Tracking (FAST) database.

**Recommendation 3.10 (IMPLEMENTED)**

*LASD should analyze inmate grievances regarding use of force incidents.*

**Response:**

The Department has established a process to track and review inmate grievances to identify potential patterns of conduct by personnel. Special Counsel Merrick Bobb urged the Department to analyze inmate grievances in order to ensure potential problems were identified. The practice has been incorporated into the regular duties of each jail Captain in order to ensure oversight and early warning to potential problems. Unit commanders are required to review all staff members' PPI and FAST entries to identify possible trends in performance. This process will also be reviewed by the Custody Division Chief, and during Sheriff's Critical Issues Forums (SCIF).

**Recommendation 3.11 (IMPLEMENTED)**

*Statistical data regarding use of force incidents needs to be vigilantly tracked and analyzed in real time by the highest levels of LASD management.*

**Response:**

The Department has established direct daily reporting procedures for force incidents, to identify potential patterns of conduct by personnel. The process was initially established through the Commanders Management Task Force, and has been incorporated into the regular duties of Custody Division in order to ensure oversight and early warning to potential problems.

**Recommendation 3.12 (IN PROCESS)**

*The Board of Supervisors should provide funding so that the Department can purchase additional body scanners.*

**Response:**

The Department's Custody Division and the Commanders Management Task Force have received valuable input from numerous correctional agencies throughout the Nation regarding the effectiveness of body scanners. The Department has conducted product analysis and pricing and is in the process of purchasing the body scanners. Your Board will be required to approve the purchase based on existing County protocols.

**Recommendation 4.1 (IMPLEMENTED)**

*The Sheriff must be personally engaged in oversight of the jails.*

**Response:**

I have personally reflected on my shortcomings in managing Custody Division. I took immediate action to correct the situation, and personally evaluated all of the jail facilities to



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

verify areas of concern through direct interaction with personnel and inmates. I created the Commanders Management Task Force to inspect every aspect of jail operations, and ensure prompt action and follow-up. I insisted all personnel cooperate with all oversight and critique, and encouraged cooperation with the Commission's investigation, even when the information was not favorable to the Department.

**Recommendation 4.2 (IN PROCESS)**

*The Sheriff must hold his high level managers accountable for failing to address use of force problems in the jails.*

***Response:***

I agree with the Commission's assessment, but am also bound by adherence to laws, policies, and procedures when it comes to matters of formal discipline. I value and respect the Commission's input regarding leadership and accountability, and have ordered formal administrative investigations to determine if there is a factual basis for formal discipline.

I understand the Commission's point regarding the difference between evidence of misconduct, and not getting the job done. I agree that in several instances my senior management failed to keep me informed, or did not perform to my expectations. All of this will be taken into evidence-based consideration at the culmination of the formal investigations, but the outcome will not be influenced by personal or political motivations of anyone.

**Recommendation 4.3 (IMPLEMENTED)**

*The Undersheriff should have no responsibility for Custody operations or the disciplinary system.*

***Response:***

I have restructured the chain of command. The new Assistant Sheriff over Custody Division will report directly to me. Furthermore, I have restructured Internal Affairs Bureau (IAB) and Internal Criminal Investigations Bureaus (ICIB) directly under the Division Chief (currently Chief Roberta Abner), who will report directly to me.

**Recommendation 4.4 (FUNDING REQUIRED)**

*The Department should create a new Assistant Sheriff for Custody position whose sole responsibility would be the management and oversight of the jails.*

***Response:***

I agree and have advocated such a proposal in the past. The Department is currently ordinated for a third Assistant Sheriff position, but requires additional funding from the Board of Supervisors. Additionally, the Department merged Correctional Services and Custody Operations into a consolidated command, under Custody Division (currently Chief Alex Yim).



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 4.5 (FUNDING REQUIRED)**

*The Sheriff should appoint as the new Assistant Sheriff over Custody an individual with experience in managing a large corrections facility or running a corrections department.*

***Response:***

The Department agrees that the new Assistant Sheriff over Custody should possess experience in managing a large corrections facility or department. As a Correctional Commissioner for the State of California, I understand and appreciate the specialized knowledge and skills required for running such a large jail population.

**Recommendation 4.6 (IMPLEMENTED)**

*The Assistant Sheriff for Custody should report directly to the Sheriff.*

***Response:***

The Department agrees that the Assistant Sheriff for Custody should report directly to the Sheriff. Since the inception of the Commission, I have required the Assistant Sheriff to report directly to me, in addition to weekly scheduled executive meetings known as the Sheriff's Executive Planning Council (EPC), consisting of all senior managers at the rank of Division Chief and above.

**Recommendation 4.7 (IMPLEMENTED)**

*The Commanders Management Task Force should not be a permanent part of Custody management.*

***Response:***

The Department agrees that the Commanders Management Task Force should not be a permanent part of Custody management. I have directed the Commanders Management Task Force to incorporate its jail reforms into the regular duties of the Custody Division command. I have kept the Commanders Management Task Force in tact as an immediate, short-term solution to identify and address deficiencies in all jail operations. At the culmination of the Commission's Final Report and Recommendations, the Commanders Management Task Force will conduct an out-briefing with Custody Division to ensure all of the jail reforms will remain a permanent solution to improve jail operations.

**Recommendation 4.8 (IMPLEMENTED)**

*The Sheriff must regularly and vigilantly monitor the Department's use of force in the jails.*

***Response:***

I agree that I must regularly and vigilantly monitor the Department's use of force in the jails. The Commanders Management Task Force has developed a thorough, clear, accurate, and prompt force reporting procedure, which includes daily force numbers and charts. This process has kept me and senior managers aware of force trends, and ensures a prompt response to significant use of force incidents. This format will be passed on to Custody Division at an out briefing, and will continue with the new Assistant Sheriff over Custody.



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 4.9 (IMPLEMENTED)**

*The Department should implement SCIF on the Custody side to improve the accountability of jail supervisors.*

**Response:**

The Department appreciates that the Commission recognizes Sheriff's Critical Issues Forums (SCIF) are currently conducted in Custody Division. The Department is committed to continuing SCIF's and open forums to provide additional quality control, oversight and review throughout the Department.

**Recommendation 4.10 (IMPLEMENTED)**

*Senior management needs to be more visible and engaged in Custody.*

**Response:**

The Department agrees that senior management personnel need to be more visible and engaged in Custody. From the onset of the jail allegations, I visited every jail facility and directed all senior managers to do the same. I designated Commander Paul Pietrantonio to serve as a Personnel Performance Commander, to specifically walk through jail facilities, both announced and unannounced, to identify and address deficiencies. In addition to informal walks through jail facilities, I have required unit commanders to report back and account for the frequency of their interaction on jail floors at "Inmate Town Hall Meetings," as well as regular attendance at staff briefings and "spot check" inspections.

**Recommendation 4.11 (FUNDING REQUIRED)**

*Management staff should be assigned and allocated based on the unique size and needs of each facility.*

**Response:**

The Department will be requesting funding for additional staffing required to address operational needs of larger units.

**Recommendation 4.12 (FUNDING REQUIRED)**

*LASD should create an internal Audit and Inspections Division.*

**Response:**

The Department agrees and will be seeking funding to create an internal Audit and Inspections Division. The Commanders Management Task Force has already met with the Commission and the Los Angeles Police Department to explore the creation of an internal Audit and Inspections Division. A proposal to create the Sheriff's Inspectional Services Command (ISC) has been prepared, but requires funding from your Board.

**Recommendation 4.13 (IN PROCESS)**

*The Department should have a formal policy to address campaign contributions.*

**Response:**

The Department has already prepared a policy consistent with the Commission's recommendations. The policy is in its final stages of review.



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 4.14 (IMPLEMENTED)**

*LASD should participate in collaborations such as the Large Jail Network that would enable it to learn about best practices and approaches in other systems.*

***Response:***

The Department has re-established participation with the National Institute of Corrections, National Jail Exchange (Large Jail Network). The next formal conference will be held March 2013, in Aurora, Colorado. A Custody Commander will be designated as the liaison, to participate and report back regarding best practices and information to the me and at Custody Division staff meetings.

The Department is also involved with the American Jail Association and the Southern California Jail Manager's Association. In addition, the Department has recently initiated a Force Consortium with other local agencies.

**Recommendation 5.1 (IMPLEMENTED)**

*The Department must continue to implement reforms that emphasize respect for, engagement of, and communication with inmates.*

***Response:***

The Department will continue to expand Education Based Incarceration (EBI), Inmate Town Hall Meetings, and other efforts emphasizing respect for, engagement of, and communication with inmates. The Department appreciates that the Commission also understands the value of progressive programs that encourage respect based interaction between staff and inmates. To date, there have been more than 6,500 participants of EBI. Over the past year, combined attendances at regularly scheduled Inmate Town Hall Meetings have increased to more than 50,000.

**Recommendation 5.2 (IMPLEMENTED)**

*The Department's Force Prevention Policy should be stressed in Academy training and reiterated in continuing Custody Division training.*

***Response:***

The Department teaches de-escalation techniques in the Academy. The Department has incorporated the Force Prevention Policy into the Academy and Jail Operations training curriculum. Force Prevention will also be included throughout the entire Department in the restructured Use of Force Policy (effective January 1, 2013).

**Recommendation 5.3 (IMPLEMENTED)**

*The Department should enhance its ethics training and guidance in the Academy as well as in continuing Custody Division training.*

***Response:***

The Department has added two additional weeks at the end of the Academy to enhance its ethics training and guidance. More specifically, recruits will be taught the principles of Constitutional Jailing, Constitutional Policing, and Procedural Justice. This will be reinforced during Custody Division training, as well as Department-wide training, through the Deputy Leadership Institute. Furthermore, personnel will not only learn *Our Core*



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

Values, but be held accountable for Policy and Ethics violations in conflict with *Our Core Values*.

**Recommendation 5.4 (IN PROCESS)**

*The Department must make Custody a valued and respected assignment and career.*

**Response:**

The Department has drafted a proposal for a "Dual Track Career Path" (DTCP). The proposal centers on staffing the jails with personnel who are better suited in skills, personalities, and desire to serve permanently in a Custody assignment. The proposal would also benefit those deputies who choose to serve in patrol, since they would not be required to serve a long tenure in the jails, unless they specifically desired to do so.

The proposal was presented to the Board of Supervisors' Public Safety CARs meeting on February 8, 2012. The proposal is currently being considered by the employee associations (ALADS and PPOA), and is subject to additional reform based on the best interest of the public, the Department, and its employees.

**Recommendation 5.5 (IMPLEMENTED)**

*Senior leaders must be more visible in the jails.*

**Response:**

I have directed that all jail Captains regularly attend and conduct Inmate Town Hall Meetings, as well as become directly engaged with staff, inmates, and independent oversight at each facility. This directive has been followed up with an accounting for the frequency of captain and supervisory attendance at Inmate Town Hall Meetings, training, and briefing.

The information will be permanently reviewed by the Custody Division Chief and the Assistant Sheriff over Custody.

**Recommendation 5.6 (IN PROCESS)**

*LASD must have a firm policy and practice of zero tolerance for acts of dishonesty that is clearly communicated and enforced.*

**Response:**

Law enforcement officers must be held to the highest standard of honesty and integrity, and that standard must be continually communicated. The Department will continue to emphasize the principles clearly stated in *Our Core Values*, as well as reinforce the Department's "zero-tolerance" for dishonesty. To accomplish this, the Department will require all unit commanders to conduct in-service briefings reminding personnel of the Discipline Schedule for Dishonesty. To ensure this is accomplished in a timely manner, these briefings will be conducted in concurrence with the signed admonition for the restructured Use of Force Policy, to be completed by December 31, 2012.



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 5.7 (IN PROCESS)**

*The Department should have a sensible rotation policy to protect against the development of troubling cliques.*

**Response:**

The Department has already implemented a Mandatory Rotation Directive. Implemented on February 17, 2012, the Directive provides a reasonable exception for "positions that require additional training or experience that may affect the effectiveness of their command. These key positions shall be reported annually to the Chief of Custody Division."

To ensure compliance with this Directive, unit commanders are required to retain their rotation records for at least two years.

**Recommendation 5.8 (IN PROCESS)**

*LASD should discourage participation in destructive cliques.*

**Response:**

As the Commission points out in its Final Report, the Department cannot prohibit discretionary decisions with personnel to associate with each other, but it will remain vigilant to prohibit the use of Department resources and time in any activity contrary to the Department's Mission and Core Values. This will be accomplished by ensuring supervisors and managers are continually monitoring the workplace, and documenting activities in conflict with the Department's Mission and Core Values. The Department will also incorporate a formal lecture during the extended Jail Operations and Ethics Training, specifically discouraging participation in destructive cliques. Additionally, "spot checks" and inspections will be conducted by senior managers and by the Inspectional Services Command (ISC) currently being proposed.

The Commission's concerns regarding visible tattoos associated with deputy cliques is addressed through a clear policy, summarized by this excerpt from Manual of Policy and Procedures Section 3-01/050.80: "While on duty and wearing any Department-approved uniform or appropriate business attire, members are prohibited from exhibiting any tattoo, branding, or other form of body art that may be seen by another person."

**Recommendation 6.1 (IN PROCESS)**

*The Department should review and revise its personnel and training policies and procedures to reflect Custody's status as a valued and important part of the Department.*

**Response:**

The Department agrees in concept. It is my desire to create a fully staffed Custody Training Bureau under the leadership of the Custody Division Chief or the newly appointed Custody Division Assistant Sheriff position, in an effort to fulfill the Commission's training mandates. To accomplish this task the appropriate funding is necessary from the Chief Executive Officer (CEO). The American Civil Liberties Union (ACLU) concurs with this configuration.



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

In addition, the Department has submitted the Dual Track Career Path (DTCP) proposal to the CEO for approval. The DTCP will permit non-patrol trained deputy sheriffs assigned to Custody Division the opportunity to promote within Custody Division to the rank of Division Chief. The DTCP will also allow deputy sheriffs the flexibility to select a career path in Custody Division or Field Operations/Detectives. The DTCP will provide value and a career path for personnel assigned to Custody Division.

**Recommendation 6.2 (IMPLEMENTED)**

*The Department should develop and implement a long-range and steady hiring plan based upon normal attrition.*

***Response:***

The Department's Personnel Administration Bureau has forecasted a consistent hiring strategy for the next five years based upon the Department's current financial allocations. However, if the CEO implements a fiscal reduction in the Department's budget, the hiring strategy will require adjustments according to financial restraints.

**Recommendation 6.3 (IN PROCESS)**

*Deputies and supervisors should receive significantly more custody specific training overseen by the Department's Leadership and Training Division.*

***Response:***

I have mandated an additional two-week custody specific training curriculum for new deputies; this curriculum is in addition to the two-week Jail Operations class. Under the Department's current training mandates, following this classroom curriculum, deputies must complete an additional 12 week training course under the supervision of an experienced and well respected custody training officer at their respective facilities. Therefore, the custody training for new deputies actually totals 16 weeks.

In addition to the 16 weeks noted above, the Department is increasing specific facility training from 12 weeks to 16 weeks. This will enhance the actual custody training for new deputies to a total of 20 weeks.

The Department is also increasing training for custody supervisors from 8 hours to 40 hours.

Furthermore, it is my desire to create a fully staffed Custody Training Bureau under the leadership of the Custody Division Chief or the newly appointed Custody Division Assistant Sheriff position. To accomplish this task the appropriate funding is necessary from your Board. The American Civil Liberties Union "ACLU" concurs with this configuration.

**Recommendation 6.4 (IMPLEMENTED)**

*There should be a meaningful probationary period for new deputies in Custody.*

***Response:***

All custody facility Unit Commanders are required to schedule face-to-face meetings with custody personnel prior to the end of their probationary period. Outlined in this meeting, Unit Commanders are mandated to discuss the following topics; Department's Core Values,



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

Department's Mission Statement, Constitutional Jailing, Procedural Justice, and their probationary evaluation to ensure personnel fully grasp the importance of their career responsibilities. A checklist form outlining the respective topics will be included in the probationary training packet.

**Recommendation 6.5 (FUNDING REQUIRED)**

*The number of supervisors to deputies should be increased and the administrative burdens on Custody supervisors should be minimized.*

**Response:**

The Department has submitted a request to the CEO for 10 lieutenants and 101 sergeants to be added to Custody Division.

**Recommendation 6.6 (IN PROCESS)**

*The Department should allow deputies to have a career in Custody and take steps in the interim to decrease the length of new deputy assignments to Custody.*

**Response:**

The Department has changed its procedures which previously mandated that deputies transfer to patrol, by currently allowing unlimited annual extensions in Custody Division. Deputy personnel who do not desire to transfer to patrol are afforded the option to submit annual extensions to Custody Division Headquarters. Upon approval of their request, deputies are permitted to remain in Custody Division. In time, this policy change will significantly reduce the length of time in Custody Division for sworn personnel who desire to transfer to Patrol.

If the DTCP is approved by your Board, deputies who do not have an interest in patrol will be excluded from submitting patrol transfer requests.

The Department is in the final stages of conducting an assessment and evaluation of duty statements from each position at every custody facility to determine which job classification (sworn personnel or custody assistant) is best suited to handle the functional operation of that particular position.

**Recommendation 6.7 (IN PROCESS)**

*The Department should utilize more Custody Assistants*

**Response:**

As stated in the response section of recommendation 6.6, the Department is conducting an assessment of positions within Custody Division. Preliminary information has shown that the line personnel positions in Custody Division are substantially understaffed. If the Department can maintain its current compliment of sworn personnel and increase its compliment of custody assistants by approximately 160 positions, this would enhance the level of service in our jail facilities and afford the Department the resources to provide our inmates with the opportunity for additional programming. It has been documented through the Rehabilitation surveys, which are issued at every Town Hall meeting, that our inmate's second highest request is additional inmate programming.



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 6.8 (IN PROCESS)**

*Rotations within and among proximate facilities should be implemented.*

**Response:**

Pursuant to Special Counsel Merrick Bobb's recommendation, the Department recently implemented mandatory rotations in Custody Division within each facility. The Department is evaluating the recommendation of implementing a sensible, but steadfast policy of rotations of personnel among proximate facilities. The Department is assessing the probability of Employee Union issues, the impact on affected personnel, and best practices for the overall health of the Department.

**Recommendation 6.9 (IN PROCESS)**

*The Department's Mission Statement should be changed to reflect the importance of Custody.*

**Response:**

The Department is reviewing the Mission Statement and will make the appropriate changes to reflect the importance of Custody Division.

**Recommendation 6.10 (IN PROCESS)**

*The Department should create a separate Custody Division with a professional jail workforce.*

**Response:**

As previously mentioned, if approved by your Board, the implementation of the Dual Track Career Path will fulfill this recommendation.

**Recommendation 7.1 (FUNDING REQUIRED)**

*The investigative and disciplinary system should be revamped.*

**Response:**

The Department will need to expand the number of Internal Affairs Bureau investigators. The Commanders Management Task Force has already met with Commission members to explore comparable systemic changes implemented by LAPD in response to a 2001 Federal consent decree. Based on knowledge gained from our research, the Department is prepared to take the following steps consistent with the Commission's recommendations:

1. Seek funding to expand the number of Internal Affairs Bureau (IAB) investigators.
2. Ensure that all uses of force that result in injuries more than "redness, swelling or bruising," or complaints of pain regarding the "head, neck, or spine" would be reviewed and, if necessary, investigated by IAB or ICIB.
3. Ensure all other uses of force investigated at the unit level come under the oversight and review of IAB and the Office of Independent Review (OIR), or the new Office of Inspector General (OIG) if approved by your Board.
4. Require all supervisors investigating cases involving injuries to seek out evidence from medical staff, including medical records, statements from personnel who witnessed injuries and photographs of injuries. (Medical personnel should also be asked to document that information in their own records).



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 7.2 (IMPLEMENTED)**

*CFRC should monitor Force Packages for trends and concerns and the performance of supervisors.*

***Response:***

The Department agrees the Custody Force Review Committee (CFRC) should continue to monitor Force Packages for trends, concerns, and the performance of supervisors. The CFRC exhaustively reviews and scrutinizes significant force cases not rising to the level of an IAB investigation. If the Department is able to expand staffing for IAB investigators, more of these significant force cases will be scrutinized during Executive Force Review Committee (EFRC) as recommended by the Commission. In the interim, CFRC will continue to scrutinize these force cases, and monitor for trends, concerns, and the performance of supervisors.

**Recommendation 7.3 (IN PROCESS)**

*Deputies should be required to provide a timely written report of force incidents and not be allowed to review video tape footage prior to completion of that report or any interviews.*

***Response:***

The Department has incorporated a policy consistent with the Commission's recommendation. The restructured Use of Force policy specifies that personnel are required to provide a timely written report of force incidents prior to reviewing video footage. Since the new Use of Force policy will not be effective until January 1, 2013, Custody Division immediately implemented a Division Directive requiring compliance with the same standards regarding the review of video footage (effective September 27, 2012).

**Recommendation 7.4 (IN PROCESS)**

*Deputies involved in Significant Force incidents should be separated and not permitted to talk to each other until they have provided a written statement or been interviewed by investigators.*

***Response:***

The Department will revise its policy to expand its "no huddling" practice for all significant force. The Department will monitor and review significant force incidents to ensure compliance with the policy.

**Recommendation 7.5 (FUNDING REQUIRED)**

*IAB and ICIB should be part of an Investigations Division under a Chief who would report directly to the Sheriff.*

***Response:***

I have restructured the Leadership and Training Division to have operational command of IAB and Internal Criminal Investigations Bureau (ICIB).

In order to move IAB and ICIB under a separate and independent Investigations Division, the Department requires funding for an additional Chief position. Consistent with the Commission's remarks, the Sheriff is not opposed to considering the appointment of a sworn or non-sworn Chief of Investigations from outside the Department, if the person



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

possesses the knowledge, expertise, and skills required. The Sheriff would consider a former judge, judicial commissioner, or retired professional experienced in evaluating facts and evidence.

**Recommendation 7.6 (IMPLEMENTED)**

*IAB should be appropriately valued and staffed by personnel that can effectively carry out the sensitive and important work of that bureau.*

***Response:***

The Department will continue to make it clear that IAB personnel are valued investigators. This will be accomplished through continuing to promote qualified personnel from the ranks of IAB. Captain Alicia Ault is an example of many experienced IAB investigators recently promoted. The Sheriff's Department also recognizes that promotion is only one method of developing a cadre of quality investigators, since the promotional process must follow strict Civil Service rules.

**Recommendation 7.7 (IN PROCESS)**

*The Discipline Guidelines should be revised to establish increased penalties for excessive force and dishonesty.*

***Response:***

The Department will increase penalties for proven acts of excessive force and dishonesty. The increases will be reflected in the revised Discipline Guidelines to show "zero tolerance," including termination and possible prosecution.

**Recommendation 7.8 (FUNDING REQUIRED)**

*Each jail should have a Risk Manager to track and monitor use of force investigations.*

***Response:***

Most units currently must create a designated Risk Manager from existing personnel in order to vigilantly track and monitor use of force investigations, for thoroughness, timeliness, quality control, patterns, potential liabilities, and other factors.

Risk Management positions are sometimes not filled in order to fill essential front line posts. This is made more difficult with mandatory budget reductions.

**Recommendation 7.9 (IN PROCESS)**

*Force investigations should not be conducted by deputies' supervisors.*

***Response:***

The Department agrees that force investigations should not be conducted by deputies' immediate supervisors, particularly when the leadership or involvement of the supervisor could be in question.

The Department has worked with OIR, and Special Counsel Merrick Bobb to develop policy to ensure that supervisors involved in a use of force incident shall not conduct the investigation. Additionally, any case where supervision is in question will be reviewed by both the watch commander and unit commander.



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 7.10 (IN PROCESS)**

*Captains should not reduce charges or hold penalties in abeyance for use of force, dishonesty, or failure to report force incidents.*

**Response:**

The Department will develop procedures to prohibit Captains from changing charges, reducing discipline, or holding penalties in abeyance for discipline involving use of force, dishonesty, or failure to report force incidents. Such changes will require consultation with the employee associations (ALADS and PPOA). The Department will keep the Board updated about the status of this recommendation.

**Recommendation 7.11 (IMPLEMENTED)**

*The Department should vigorously investigate and discipline off-duty misconduct.*

**Response:**

The Department agrees that off-duty misconduct should be vigorously investigated and disciplined when founded. The Department will ensure oversight and review through the new inspectional process and Case Review, where applicable.

**Recommendation 7.12 (IN PROCESS)**

*The Department should implement an enhanced and comprehensive system to track force reviews and investigations.*

**Response:**

The Commission accurately reports that current Department policies require the completion of force reviews and administrative investigations in an appropriate time frame. In order to do a better job at enforcing those policies, the Sheriff's Department has implemented Captain and Commander Duty Statements, specifically identifying their duty to ensure objective and timely review of force investigations.

This policy provides the clarity of specific job functions to hold deficient performers accountable for their failures, without excuse or claim of ignorance. This clarity in expectations is not only reinforced through the chain of command, but at the annual "Captain's College" and "Commander's College" training seminar conducted by Department senior management.

**Recommendation 7.13 (IN PROCESS)**

*Inmate complaints should be tracked by deputies' names in PPI.*

**Response:**

The Department's long-term plan is to create a new module in the updated Personnel Performance Index (PPI) database. In order to comply immediately, the Department is currently tracking inmate grievances, by the names of LASD personnel, in the Facilities Automated Statistical Tracking (FAST) database.

Consistent with the Commission's recommendations, the information can be used to identify potential patterns of conduct by personnel. The process has been incorporated into the regular duties of each jail Captain in order to ensure oversight and early warning to potential problems.



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

**Recommendation 7.14 (IN PROCESS)**

*The inmate grievance process should be improved and include added checks and oversight.*

**Response:**

The Department agrees that the inmate grievance process should be improved, with added checks and oversights. The Department has worked with the ACLU, OIR, and Special Counsel Merrick Bobb to create an inmate grievance form and policies acceptable to all parties. The process was presented in Federal Court and the Department has been utilizing the established form and procedures.

The Department also implemented its own "Anti-Retaliation Policy" (CDM Section 5-12/005.05) to ensure inmates were not discouraged from filing inmate grievances.

**Recommendation 7.15 (FUNDING REQUIRED)**

*The use of lapel cameras as an investigative tool should be broadened.*

**Response:**

The Department agrees that the use of lapel cameras, more commonly known as a Personal Video Recording Device (PVRD), should be broadened.

The Department is in its final phase of piloting and evaluating PVRDs for use in the jails. There are some technical limitations of the devices, but the Department is working with several vendors to address these limitations in order to deploy the PVRDs. Since the Department is expanding high definition fixed video surveillance throughout its jail facilities, PVRDs will be utilized during high-risk escorts, significant incidents, or other notable duties with the need for a video record of the incident.

**Recommendation 8.1 (FUNDING REQUIRED)**

*The Board of Supervisors should create an independent Inspector General's Office to provide comprehensive oversight and monitoring of the Department and its jails.*

**Response:**

I agree and proposed a similar concept to your Board in 1999. The Department will support the Board's efforts to increase oversight and accountability in the jails through the OIG.

**Recommendation 8.2 (IMPLEMENTED)**

*The Department should report regularly to the Board of Supervisors on use of force and the status of Custody reform recommendations.*

**Response:**

The Department agrees to report regularly to your Board on use of force and the status of Custody reform recommendations. I respect the Board's role of ensuring proper oversight of all County Departments, and will continue to provide reports showing use of force statistics, or any other data the Board feels helpful to ensure proper oversight and review.

I will continue to make myself available to the Board to present the ongoing status of jail reforms, and anything relating to the Department. I, along with the Assistant Sheriff for



**Los Angeles County Sheriff's Department's  
Response to Final Recommendations from the Citizens' Commission on Jail Violence  
(Attachment A)**

Custody, will continue to update the Board regarding jail reforms with support documentation reflecting implementation steps and status.

The Department appreciates the Commission's recognition that the Board should use its budgetary and oversight authority to ensure that any funds allocated by the Board to the Department to implement recommendations and reforms are used for their intended purposes.

**Recommendation 8.3 (FUNDING REQUIRED)**

*OIR should review unit level investigations for fairness and accuracy.*

***Response:***

The Department agrees that OIR should be given the resources necessary to add a staff position to ensure that the procedures and dispositions of all force incidents handled at the unit level are fair and thorough.

The Department will work with OIR to facilitate such oversight should the Board decide to fund the recommendation.

**Recommendation 8.4 (FUNDING REQUIRED)**

*The OIG should review the Department's data for trends, spikes, and patterns in the jails.*

***Response:***

The Department agrees that the OIG, if created by your Board, should review the Department's data for trends, spikes, and patterns in the jails. The Department will fully cooperate and work directly with the OIG to provide all that is needed to facilitate such analysis.



| Number  | RECOMMENDATION   | Status         | ETA * | Cost                |
|---|--|----------------|-------|---------------------|
| 4.04  | The Department should create a new Assistant Sheriff for Custody position whose sole responsibility would be the management and oversight of the jails.                          | Funding Needed | N/A   | \$732,000           |
| 4.05  | The Sheriff should appoint as the new Assistant Sheriff over Custody an individual with experience in managing a large corrections facility or running a corrections department. | Funding Needed | N/A   | See 4.4             |
| 4.11  | Management staff should be assigned and allocated based on the unique size and needs of each facility.   | Funding Needed | N/A   | TBD                 |
| 4.12  | LASD should create an internal Audit and Inspections Division.   | Funding Needed | N/A   | \$6,702,000         |
| 6.05  | The number of supervisors to deputies should be increased and the administrative burdens on Custody supervisors should be minimized.   | Funding Needed | N/A   | \$21,431,000        |
| 7.01  | The investigative and disciplinary system should be revamped.  | Funding Needed | N/A   | \$6,373,000         |
| 7.05  | IAB and ICIB should be part of an Investigations Division under a Chief who would report directly to the Sheriff.  | Funding Needed | N/A   | \$1,223,000         |
| 7.08  | Each jail should have a Risk Manager to track and monitor use of force investigations.   | Funding Needed | N/A   | \$1,784,000         |
| 7.15  | The use of lapel cameras as an investigative tool should be broadened.   | Funding Needed | N/A   | TBD                 |
| 8.01  | The Board of Supervisors should create an independent Inspector General's Office to provide comprehensive oversight and monitoring of the Department and its jails.              | Funding Needed | N/A   | BOS                 |
| 8.03  | OIR should review unit level investigations for fairness and accuracy.   | Funding Needed | N/A   | BOS                 |
| 8.04  | The OIG should review the Department's data for trends, spikes, and patterns in the jails.   | Funding Needed | N/A   | BOS                 |
| Custody Division Training Bureau (Item 6.3 in the "In Process" section)   |  |                |       | \$15,867,000        |
| Additional Custody Assistant Items (Item 6.7 in the "In Process" section) |  |                |       | \$14,875,000        |
| <b>TOTAL COST:</b>  |  |                |       | <b>\$68,987,000</b> |



| Number | RECOMMENDATION   | Status      | ETA * |
|--------|--|-------------|-------|
| 3.10   | LASD should analyze inmate grievances regarding use of force incidents.  | Implemented | N/A   |
| 3.11   | Statistical data regarding use of force incidents needs to be vigilantly tracked and analyzed in real time by the highest levels of LASD management.         | Implemented | N/A   |
| 4.01   | The Sheriff must be personally engaged in oversight of the jails.  | Implemented | N/A   |
| 4.03   | The Undersheriff should have no responsibility for Custody operations or the disciplinary system.  | Implemented | N/A   |
| 4.06   | The Assistant Sheriff for Custody should report directly to the Sheriff.   | Implemented | N/A   |
| 4.07   | The Commander Management Task Force should not be a permanent part of Custody management.  | Implemented | N/A   |
| 4.08   | The Sheriff must regularly and vigilantly monitor the Department's use of force in the jails.  | Implemented | N/A   |
| 4.09   | The Department should implement SCIF on the Custody side to improve the accountability of jail supervisors.  | Implemented | N/A   |
| 4.10   | Senior management needs to be more visible and engaged in Custody.   | Implemented | N/A   |
| 4.14   | LASD should participate in collaborations such as the Large Jail Network that would enable it to learn about best practices and approaches in other systems. | Implemented | N/A   |
| 5.01   | The Department must continue to implement reforms that emphasize respect for, engagement of, and communication with inmates.                                 | Implemented | N/A   |
| 5.02   | The Department's Force Prevention Policy should be stressed in Academy training and reiterated in continuing Custody Division training.                      | Implemented | N/A   |
| 5.03   | The Department should enhance its ethics training and guidance in the Academy as well as in continuing Custody Division training.                            | Implemented | N/A   |
| 5.05   | Senior leaders must be more visible in the jails.  | Implemented | N/A   |
| 6.02   | The Department should develop and implement a long-range and steady hiring plan based upon normal attrition.   | Implemented | N/A   |
| 6.04   | There should be a meaningful probationary period for new deputies in Custody.  | Implemented | N/A   |
| 7.02   | CFRC should monitor Force Packages for trends and concerns and the performance of supervisors.   | Implemented | N/A   |
| 7.06   | IAB should be appropriately valued and staffed by personnel that can effectively carry out the sensitive and important work of that bureau.                  | Implemented | N/A   |
| 7.11   | The Department should vigorously investigate and discipline off-duty misconduct.   | Implemented | N/A   |
| 8.02   | The Department should report regularly to the Board of Supervisors on use of force and the status of Custody reform recommendations.                         | Implemented | N/A   |



| Number | RECOMMENDATION   | Status     | ETA * | Assigned Chief |
|--------|--|------------|-------|----------------|
| 3.01   | LASD should promulgate a comprehensive and easy-to-understand Use of Force Policy in a single document   | In Process | 3     | Abner          |
| 3.02   | LASD personnel should be required to formally acknowledge, in writing, that they have read and understand the Department's Use of Force Policy.                          | In Process | 3     | Abner          |
| 3.03   | All LASD Custody personnel should be provided training on a new comprehensive and easy to understand Use of Force Policy and how it applies in Custody.                  | In Process | 3     | Yim            |
| 3.04   | The Department's Use of Force Policy should reflect a commitment to the principles of the Force Prevention Policy and prohibit inmate retaliation or harassment.         | In Process | 3     | Abner          |
| 3.05   | LASD's Use of Force Policy should be based upon the objectively reasonable standard rather than the Situational Use of Force Options Chart.                              | In Process | 3     | Abner          |
| 3.06   | The Use of Force Policy should articulate a strong preference for planned, supervised, and directed force.   | In Process | 3     | Abner          |
| 3.07   | The Use of Force Policy should account for special needs populations in the jails.   | In Process | 3     | Abner          |
| 3.08   | PPI and FAST should be replaced with a single, reliable, and comprehensive data tracking system.   | In Process | 12    | Betkey         |
| 3.09   | Inmate grievances should be tracked in PPI by the names of LASD personnel.   | In Process | 12    | Betkey         |
| 3.12   | The Board of Supervisors should provide funding so that the Department can purchase additional body scanners.  | In Process | 12    | Rampulla       |
| 4.02   | The Sheriff must hold his high level managers accountable for failing to address use of force problems in the jails.   | In Process | 6     | Abner          |
| 4.13   | The Department should have a formal policy to address campaign contributions   | In Process | 3     | Abner          |
| 5.04   | The Department must make Custody a valued and respected assignment and career.   | In Process | 3     | Yim            |
| 5.06   | LASD must have a firm policy and practice of zero tolerance for acts of dishonesty that is clearly communicated and enforced.  | In Process | 3     | Abner          |
| 5.07   | The Department should have a sensible rotation policy to protect against the development of troubling cliques.   | In Process | 12    | Yim            |
| 5.08   | LASD should discourage participation in destructive cliques.   | In Process | 3     | Abner          |
| 6.01   | The Department should review and revise its personnel and training policies and procedures to reflect Custody's status as a valued and important part of the Department. | In Process | 3     | Yim            |
| 6.03   | Deputies and supervisors should receive significantly more Custody specific training overseen by the Department's Leadership & Training Division.                        | In Process | 3     | Yim            |
| 6.06   | The Department should allow deputies to have a career in Custody and take steps in the interim to decrease the length of new deputy assignments to Custody.              | In Process | 3     | Yim            |
| 6.07   | The Department should utilize more Custody Assistants.   | In Process | 12    | Yim            |
| 6.08   | Rotations within and among proximate facilities should be implemented.   | In Process | 12    | Yim            |
| 6.09   | The Department's Mission Statement should be changed to reflect the importance of Custody.   | In Process | 3     | Abner          |
| 6.10   | The Department should create a separate Custody Division with a professional jail workforce.   | In Process | 3     | Yim            |



| Number | RECOMMENDATION  | Status     | ETA * | Assigned Chief |
|--------|---|------------|-------|----------------|
| 7.03   | Deputies should be required to provide a timely written report of force incidents and not be allowed to review video tape footage prior to completion of that report or any interviews.         | In Process | 3     | Abner          |
| 7.04   | Deputies involved in Significant Force incidents should be separated and not permitted to talk to each other until they have provided a written statement or been interviewed by investigators. | In Process | 3     | Abner          |
| 7.07   | The Discipline Guidelines should be revised to establish increased penalties for excessive force and dishonesty.  | In Process | 3     | Abner          |
| 7.09   | Force investigations should not be conducted by deputies' supervisors.  | In Process | 3     | Abner          |
| 7.10   | Captains should not reduce charges or hold penalties in abeyance for use of force, dishonesty, or failure to report force incidents.  | In Process | 12    | Abner          |
| 7.12   | The Department should implement an enhanced and comprehensive system to track force reviews and investigations.   | In Process | 12    | Betkey         |
| 7.13   | Inmate complaints should be tracked by deputies' names in PPI.  | In Process | 12    | Betkey         |
| 7.14   | The inmate grievance process should be improved and include added checks and oversight.   | In Process | 12    | Yim            |

\* Some ETA's are highly dependent on variables outside the Department's control such as Union response and BOS approval

\\1\_ttcf\_fs01\custhq\CMDR TASK FORCE\Operations\Jail Commission Files\Temp matrix worksheet.xlsx